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Patent  
SYR-DPP-IV-5004-C2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: )  
Jun Feng et al. ) Group Art Unit: 1624  
Serial No.: 10/809,637 ) Examiner: Thomas C. McKenzie  
Filed: March 24, 2004 )  
For: DIPEPTIDYL PEPTIDASE )  
INHIBITORS )  
\_\_\_\_\_  
)

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Supplemental Information Disclosure Statement ("SIDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449, and copies of the literature and non-U.S. patent references are included.

The items identified in this SIDS were cited in European Application No. 04258153.8. The items identified in this SIDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicants as such.

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

This SIDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this SIDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this SIDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

This SIDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

The fee due under 37 CFR § 1.17(p) is submitted herewith.

A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this SIDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

This SIDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

Each item contained in this SIDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this SIDS.

No item contained in this SIDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person

signing this statement after making reasonable inquiry, no item of information contained in this SIDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this SIDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).

Please charge to Deposit Account No. **50-2256** for the above fee(s).

Although Applicants do not believe any fees are required, the Commissioner is authorized to charge any fees required by the filing of these papers to Takeda's Deposit Account No. **50-2256**.

Respectfully submitted,

TAKEDA SAN DIEGO, INC.

Dated: September 13, 2005

By: David J. Weitz  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO		Complete if Known			
		Application Number	10/809,637		
		Filing Date	March 24, 2004		
		First Named Inventor	Jun FENG		
		Group Art Unit	1624		
		Examiner Name	Thomas C. McKenzie		
Sheet	1	of	1	Attorney Docket Number	SYR-DPP-IV-5004-C2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date/ Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	AA	WO 03/035057 A	05/01/2003	Ferring B.V.		
	AB	DE 21 50 686 A1	4/19/1973	Badische Anilin & Soda Fabrik AG		
	AC	EP 0 442 473 A	08/21/1991	Takeda Chemical Industries, Ltd.		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	AD	WEBER, A.E.: Dipeptidyl Peptidase IV Inhibitors for the Treatment of Diabetes, Journal of Medicinal Chemistry, vol. 47, 2004 pages 4135-4141, XP002329845			
	AE	Patent Abstracts of Japan, vol. 2003, no. 12, Xanthine Derivative, December 5, 2003 & JP 2003 300977 A (Sumitomo Pharmaceut Co Ltd), October 21, 2003, Abstract			
	AF	BOTTA, M., SALADINO, R., LAMBA, D. NICOLETTI, R.: Researches on Antiviral Agents. 31. Synthesis and Transformations of Racemic and Chiral 6-Oxiranyl Pyrimidinones, Tetrahedron, vol. 49, 1993, pages 6053-6070, XP002329846			
	AG	FRAISSE, L., et al. Long-Chained Substituted Uric Acid and 5,6-Diaminouracil Derivatives as Novel Agents against Free Radical Processes: Synthesis and in Vitro Activity, Journal of Medicinal Chemistry, vol. 36, 1993, pages 1456-1473, XP002329847			
	AH	KIM, H.O. et al., Structure-Activity Relationships of 1,3-Dialkylxanthine Derivatives at Rat A <sub>3</sub> Adenosine Receptors, Journal of Medicinal Chemistry, vol. 37, 1994, pages 3373-3382, XP002329848			

Examiner Signature		Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.